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ASSOCIATES  
ATTORNEYS**

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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

CITIAPARTMENTS, INC.; PRIME  
APARTMENT PROPERTIES, LLC; PRIME  
APARTMENT PROPERTIES I, LLC; RMSV  
BAY CITI PROPERTIES I DE, LLC; RMSV  
BAY CITI PROPERTIES I, LLC; 124 MASON,  
DE, LLC; TROPHY PROPERTIES, VI, LLC;  
LRL CITI PROPERTIES I DE, LLC; FRANK  
LEMBI; WALTER LEMBI; and ANDREW K.  
HAWKINS,

Plaintiffs,

v.

MARKEL INSURANCE COMPANY; and DOES  
1 through 100, inclusive

Defendants.

CITIAPARTMENTS, INC.; TROPHY  
PROPERTIES IV, DE, LLC; TROPHY  
PROPERTIES V, LLC; NOB HILL TOWERS DE  
LLC; BAY CITI PROPERTIES, DE, LLC; CITI  
PROPERTIES, DE, LLC; LSL PROPERTY  
HOLDINGS, LLC; TROPHY PROPERTIES,  
LLC; ALAMO CITY PROPERTIES, DE, LLC;  
SKYLINE REALTY, INC.; FRANK LEMBI;  
WALTER LEMBI; and ANDREW K.  
HAWKINS,

Plaintiffs,

Case No.: C 06-5752 CW

**PARTIES' STIPULATION AND ORDER TO  
EXTEND TIME FOR PLAINTIFFS TO FILE  
FIRST AMENDED COMPLAINT  
(AMENDED CONSOLIDATED  
COMPLAINT)**

Dept.: Courtroom 2  
Judge: Hon. Claudia Wilken

v.

MARKEL INSURANCE COMPANY; and DOES  
1 through 100, inclusive

Defendants.

IT IS HEREBY STIPULATED between Plaintiffs CITIAPARTMENTS, INC.; PRIME APARTMENT PROPERTIES, LLC; PRIME APARTMENT PROPERTIES I, LLC; RMSV BAY CITI PROPERTIES I DE, LLC; RMSV BAY CITI PROPERTIES I, LLC; 124 MASON DE, LLC; TROPHY PROPERTIES, VI, LLC; LRL CITI PROPERTIES I DE, LLC; TROPHY PROPERTIES IV, DE, LLC; TROPHY PROPERTIES V, LLC; NOB HILL TOWERS DE LLC; BAY CITI PROPERTIES, DE, LLC; CITI PROPERTIES, DE, LLC; LSL PROPERTY HOLDINGS, LLC; TROPHY PROPERTIES LLC; ALAMO CITY PROPERTIES, DE, LLC; SKYLINE REALTY, INC.; FRANK LEMBI; WALTER LEMBI; and ANDREW J. HAWKINS ("Plaintiffs") and Defendant MARKEL INSURANCE COMPANY that:

1. Plaintiffs shall have an additional seven (7) days to file and serve their Amended Consolidated Complaint (First Amended Complaint) in addition to the ten (10) days this court granted in its Order of June 11, 2006. Accordingly, Plaintiffs must now file their Amended Consolidated Complaint on or before June 28, 2007.
2. Accordingly, Defendant shall answer Plaintiffs' Amended Consolidated Complaint (First Amended Complaint) or file and serve its Motion to Dismiss (if any) by July 18, 2007.

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- 1 3. If Defendant does file a Motion to Dismiss, the hearing regarding the Motion to Dismiss  
2 and Case Management Conference will still be held on August 23, 2007. As such, the  
3 deadlines for Plaintiffs to file and serve their Opposition Brief to Defendant's Motion to  
4 Dismiss, if filed, and for Defendant to file its Reply Brief shall remain unchanged.

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6 IT IS SO STIPULATED.

7  
8 DATED: June 14, 2007

GUY KORNBLUM & ASSOCIATES

9  
10 By   
11 GUY O. KORNBLUM  
12 Attorneys for Plaintiffs

13 DATED: June 14, 2007

BURNHAM BROWN

14  
15 By   
16 SUSAN FIRITCH  
17 Attorneys for Defendant  
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**ORDER**

PURSUANT TO THE PARTIES' STIPULATION SET FORTH ABOVE AND GOOD CAUSE BEING SHOWN THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS: Plaintiffs must now file and serve their Amended Consolidated Complaint on or before July 5, 2007; Defendant shall answer Plaintiffs' Amended Consolidated Complaint or file a Motion to Dismiss on July 18, 2007; and, the hearing regarding Defendant's Motion to Dismiss (if any) and the case management conference shall remain on August 23, 2007.

6/18/07

Dated: \_\_\_\_\_



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Hon. Claudia Wilken  
UNITED STATES DISTRICT JUDGE